

**Montgomery County Commissioners Meeting**

**August 5, 2003 ~ 6:00 p.m.**

**Chairman – Billy Maness**

**Vice-Chairman – Dolon Corbett**

**Commissioner – R.C. Bostic**

**Commissioner – Sally Morris**

**Commissioner – George Knight, Jr.**

**County Manager – Lee Matthews**

**Clerk to the Board – Laura B. Morton**

**County Attorney – Russell J. Hollers**

The Montgomery County Board of Commissioner's met in regular session on August 5, 2003 at 6:00 p.m. in the Commissioner's Room of the County Administration Building. All Board members were present. *Chairman Maness called the meeting to order and the following was heard:*

Mr. Jackie Morris gave the invocation in the place of Rev. Chris Cadenhead.

**Approval of Minutes**

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion to approve the minutes carried unanimously.

**Public Forum**

Lori Lefler appeared before the board about the county zoning. She thanked the board for returning her calls. Ms. Lori Lefler has requested to address the commissioners during the public forum. She and several neighbors were upset about the Planning Board's approval of a rural subdivision on McCallum Pond Road. The subdivision request involved less than ten acres with a minimum lot size of one acre. The request met all requirements of the subdivision ordinance so the Planning Board had to approve the request. The area is currently zoned R-3 which allows singlewide mobile homes. Ms. Lefler's group is petitioning the Commissioners to rezone the R-3 property on that road to R-2. This would eliminate singlewide mobile homes in this area. Mrs. Lefler said she was proud to call Montgomery County home, however she had to think twice about that when the Planning Board made its decision. She also requested that the following changes be made to the zoning ordinance:

- For ½ mile outside of the towns 1-mile territory, require that all singlewide housing be no more than 5 years old and must have masonry underpinning.
- Allow no singlewide housing in R3 zoning more than 10 years old and require all to be brick or masonry underpinned.
- Require that all subdivisions have curb and guttering and proper streets.
- Require someone in the county to be responsible for these standards and to be sure that they are enforced.
- Approve no more than one home per acre on any land zoned R3 in the county, whether it be stick built, doublewide, or singlewide.

Chairman Maness recessed the regular session and opened up the public hearing for the following rezoning requests:

**Planning and Zoning Report**

Mr. Phil Henley, Zoning Administrator appeared before the board with the following report:

*Willie McKinney* is requesting the rezoning of his property located at 153 Churchwood Lane in Mt. Gilead. This request is in order to rezone 1 acre of land from R-2 to R-3. Mr. Henley said there was no opposition and the planning board recommended approval.

Commissioner Knight asked if the trailer is in use now? Mr. Henley said it is on the property, but no one is staying there. Commissioner Knight asked if it is hooked up? Mr. Henley said it is not hooked up yet, but it is ready to be hooked up. Commissioner Knight asked if it is a new trailer? Mr. Henley said no, it is a 1988. Commissioner Knight asked what is the age ruling for a trailer? Mr. Henley said 1976. Commissioner Knight asked who will be living there? Mr. McKinney said I will.

There was some discussion about changing the age of mobile homes that are allowed to be lived in. Commissioner Morris asked if we could legally change the age? Mr. Henley said I think so. Chairman Maness said we need to have a joint session with the Planning Board to discuss some of these issues that have come up. Commissioner Corbett said we need to check with adjoining counties to see what they do and check about the age of singlewides. Mr. Matthews said I have checked with Moore County and their age on trailers is not earlier than 1976 as well. He said I don't want to disagree with Mr. Henley publicly, but it is my understanding that you can't change the year because it was set by HUD.

*Ronnie Taylor* is requesting the rezoning of his property located at 280 Zion Church Road in Mt. Gilead between Hwy 73 and Apple Orchard Road. This request is in order to rezone approximately 5.4 acres of land from R-3 to commercial. He stated that he lives next door to the property in questions and there was an old farmhouse that sits on this property and he would like to start up an antique store and thought it would be an asset to the Community. Mr. Henley said he received a couple of calls that wanted a few questions answered, but were not objections to the request. He said the Planning Board recommends approval of this request.

*Joe Poole* is requesting a rezoning of his property located on Strider Road between Mt. Carmel Church Road and Hwy. 109. This request is in order to rezone approximately 1 and 2/3 acres of land from R-2 to R-3. He bought a mobile home previously, for his mother in law to live in, but due to sickness she did not stay in it long. There were no oppositions to this request. Commissioner Knight asked if this will be for rental property? Mr. Henley and Mr. Poole both answered yes. Commissioner Knight asked what model is the trailer? Mr. Poole said a 1994.

Chairman Maness closed the public hearing and reconvened the regular session.

In a motion made by Commissioner Knight, seconded by Commissioner Morris and so the motion carried unanimously to approve the above three rezoning requests.

### **Special Exemption Requests**

*Joseph Goodwin* is requesting a special exemption for his property located at lot #8 on Russell River Road at Lake Tillery. This request is in order to build on a sub sized lot. Mr. Henley said the Planning Board recommended approval of this request.

*Phyllis Dunn/Carl Wills* are requesting a special exemption for this property located 161 Uwharrie Court in Woodrun. This request is in order to build on a sub sized lot. Mr. Henley said the Planning Board recommended approval of this request.

Mr. Henley said we are probably going to be getting more and more of these request in. Chairman Maness said I see no problem do you? Mr. Henley said the setbacks.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight and so the motion carried unanimously to approve both special exemption requests list above.

#### **Twin Harbor Text Change**

Mr. Henley said that Twin Harbor would like to amend their responsibility of having to give permits to the residents before they get a building permit from Montgomery County. He said my concern is we need to look at the ordinance and make sure we will have teeth to enforce it.

He said the Planning Board recommended a joint session with the Board of Commissioners to discuss this issue.

The board set-up a work session for 5:00 p.m. on Monday, August 25 before the Planning Board meeting.

Mr. Henley said they also wanted to discuss other issues such as the conditional use permit. Chairman Maness said we can also discuss the year of the trailers allowed and policing of the ordinances.

Commissioner Knight asked about the issue that Ms. Lefler had. Chairman Maness said the Planning Board went by the Ordinance. Mr. Matthews explained that is called a Rural Exempt Subdivision.

Commissioner Knight said I would like to see a copy of this ordinance.

#### **DOJ Grant Memorandum of Understanding**

The Memorandum of Agreement between the Department of Crime Control and Public Safety, the Division of Emergency Management and Montgomery County was included in the agenda packet. Mr. Matthews said we are scheduled to receive \$27,823 in equipment money, and \$7,168 in exercise/training money, for a total grant of \$34,991 (Homeland Security). However, this is a reimbursable grant, i.e. we have to spend our money first and then request reimbursement. If we choose to participate we must approve the Memorandum of Agreement and return it to NCDM no later than August 28, 2003. To ensure that all agencies are involved in the process the Town Manager of Troy will also have to sign some of the grant forms.

In a motion made by Commissioner Corbett, seconded by Commissioner Morris and so the motion carried unanimously to enter into the memorandum of Understanding.

Commissioner Corbett asked how quick the turnaround would be on our reimbursement? Mr. Matthews said they promised 30 days.

#### **Annual Tax Settlement**

In a motion made by Commissioner Corbett, seconded by Commissioner Knight and so the motion carried unanimously to approve the Annual Tax Settlement.

#### **Annual Charge to the Tax Collector**

In a motion made by Commissioner Knight, seconded by Commissioner Morris, and so the motion carried unanimously to approve the following charge to the tax collector.

NORTH CAROLINA

MONTGOMERY COUNTY

CHARGE TO TAX COLLECTOR  
NCGS 105-321 (b) TO INCLUDE  
AUTHORITY OF CHAPTER 1070  
OF 1989 SESSION LAWS AS  
AMENDED BY SESSION LAW 1999-127

*To Vickie Maness, Tax Collector of the County of Montgomery*

You are hereby authorized, empowered and commanded to collect the taxes set forth in the tax records filed in the office of the County Assessor and in the tax records delivered to you, in the amounts and from the taxpayers likewise therein set forth. You are also authorized, empowered and commanded to collect delinquent water bills and related costs set forth in the files in the Montgomery County Administrative Offices and in the records thereof delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes and delinquent accounts are hereby declared to be first liens upon all real property of the respective taxpayers in the County of Montgomery, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof in accordance with law,

Witness my hand and official seal, this 5th day of August 2003.



William D. Maness, Chairman  
Montgomery County  
Board of Commissioners

ATTEST:

Laura B. Morton, Clerk to the Board  
Montgomery County  
Board of Commissioners

**Budget Amendment/Revisions**

Dr. Suggs, Superintendent of Schools was present to go over the budget amendments/revisions for the schools.

He said he had an additional budget amendment request. He said there is some technology software funding that went before the school board. He said it is a \$219,000 project, which

includes no local funding. He said the money is in Raleigh and this money was generated from corporate tax money and it has been used in the past. Dr. Suggs said we have the hardware in the schools, but no software. He said the funds are there. He said this program shows dramatic improvements. He said it requires no matching funds. Dr. Suggs said the staff is excited about it.

Commissioner Knight said I was there and listened to the presentation last night. He asked if this is the start up cost? Dr. Suggs said no. This will set up about 35 workstations, and we will go back so we can set-up more. He also stated this is not designed to replace teachers.

Dr. Suggs said we would like to increase from 35 to 100. He said when everyone see the results we will have immediate reaction. He said I think it is a good program and the teachers and administrators are all excited about this. He said we have to walk before we can run.

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic, and so the motion carried unanimously to approve the budget amendment/revisions for the public schools. (A copy of these and all other budget amendments/revisions are on file in the clerk to the board's office as well as in the office of the finance officer.) (This motion includes the amendment #6 to prevent overdrafts and state textbook transfers and the technology software funding.

Mr. Matthews went through the other budget amendments/revisions with the board.

In a motion made by Commissioner Knight, seconded by Commissioner Morris, and so the motion carried unanimously to approve the amendments/revisions for 911 Recording Equipment, Health Department/Bioterrorism, and the Sheriff Department.

### **Items Carried Forward from the Work Session**

#### *Set a Date for the Public Hearing on the Schedule of Values for Revaluation*

In a motion made by Commissioner Morris, seconded by Commissioner Knight, and so the motion carried unanimously to set the public hearing on the Schedule of Values for Revaluation for August 19, 2003.

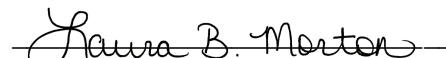
#### *Convenient Site Hours*

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approve the following new hours for the convenient site hours: all sites Monday, Wednesday, Friday, Saturday during the Summer 7:00 a.m. until 7:00 p.m. and during the Winter 7:00 a.m. until 6:00 p.m. The Blaine and Swift Island Sites will be open year round from 1 p.m. until 7:00 p.m.

There being no further business, the meeting was adjourned.

  
William D. Maness, Chairman



  
Laura B. Morton, Clerk to the Board